

Putnam

Putnam 2012

LR67-CR00-CRIM-29 Final Pretrial Conferences

At the Final Pretrial Conference, the parties shall indicate to the Court if the case is going to be dismissed, pled or tried. All tendered plea agreements shall be reduced to writing prior to the hearing. If parties indicate they are requesting the matter be tried, the parties shall file their respective exhibit lists, witness list, any pre-trial motions, and proposed preliminary and final instructions. If any additional evidence/witnesses are first disclosed at this date, then the presumption shall be that the evidence/witness shall be excluded, unless good cause shown.

LR67-CR00-CRIM-30 Bond Schedule and Conditions of Posting Bond

1. Bond Schedule

a. No Bond. Unless otherwise ordered by the court, individuals arrested and taken into custody will not be allowed to post bond prior to initial hearing for all felony sex crimes, probation violations, domestic battery, battery on a child, sexual battery, battery causing serious bodily injury, invasion of privacy and leaving the scene of an accident.

b. Murder and Felony. The initial Bond Schedule is: murder: none, A felony \$40,000, B Felony \$30,000, C Felony \$20,000 and D Felony \$10,000, 10% allowed on D Felony Putnam County residents only subject to modification, or \$7,500 surety on all D Felony arrests, except those excluded in section a.

c. Misdemeanors.

A misdemeanors – if Putnam County resident, \$500.00 cash or \$3,000.00 surety; if non-resident of Putnam County, \$800.00 cash or \$5,000.00 surety.

B and C misdemeanors – if Putnam County resident, own recognizance, if non-residents, \$500.00 cash or \$3,000.00 surety. Except operating a vehicle with a BAC of .08 or Operating with a Controlled Substance, then follow A misdemeanor schedule

d. Exception. If the Sheriff, Chief Deputy or Jail Commander has good cause to believe an offender has severe medical problems, is at risk regarding his/her own health or of others at the jail, is not unlikely to fail to appear, and there is no Judge available to approve release, the above named officers may approve the release upon written promise to appear and summons for initial hearing is provided to offender.

e. Forty-Eight Hour Rule. There must be a judicial determination of probable cause to hold the offender beyond forty-eight hours of his/her arrest in the absence of a court issued warrant or writ for his/her arrest. It is the responsibility of the arresting officer or his/her agency to contact the judge on duty to secure the probable cause hold.

2. No Contact and No Violent Contact as a Condition of Bond on Crimes of Violence

Unless otherwise ordered by the judge, it shall be a condition of pretrial release and bond for any individual arrested for a felony offense involving either violence against an individual or a threat of violence against an individual, including but not limited to domestic violence, that the person bonding be prohibited from having any contact whatsoever, directly or indirectly, with the alleged victim of the crime and that the person bonding be prohibited from possessing any firearms or deadly weapons.

3. Time for Posting Bond Unless otherwise ordered by the judge, or reasonably required by the Putnam County Sheriff, individuals shall be entitled to post bond as soon as practical following arrest and processing except:

a. Individuals who are Under Any Influence of Alcohol, Drugs, or Controlled Substances. In accordance with state statutes and the policy of the Putnam County Sheriff, any individual reasonably believed to be under any influence of alcohol, drugs or controlled substances when arrested may be detained without bond until he or she is no longer under such influence.

b. Family Violence.

Anyone arrested for an offense involving family violence (as defined in I.C. 34-6-2-34.5 to include attempting, threatening or causing physical harm to another family or household member, placing a family or household member in fear of physical harm, or causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress) shall not be allowed to post bond until the initial hearing. The court finds this cooling off period is needed because of the unique nature of family violence, which often involves high emotions between individuals who live in close physical proximity.

SPECIAL CONDITIONS OF BOND

These standard conditions restricting contact between an accused and an alleged victim in crimes of violence are subject to review on an individual basis at the initial hearing or at any other time necessary.

I. Felony Crimes of Violence or No Contact Order

Unless otherwise ordered by the court, it shall be a condition of bond/bail for any felony offense involving violence or a threat of violence, including but not limited to domestic violence, that the accused have no contact, directly or indirectly, with the alleged victim pursuant to the terms of the attached Local Rule. The Sheriff shall be responsible for serving a copy of the Local Rule on the accused prior to release.

II Misdemeanor Crimes of Violence or No Violent Contact Order

Unless otherwise ordered by the court, it shall be a condition of bond/bail for any misdemeanor offense involving violence or a threat of violence, including but not limited to domestic violence, that the accused have no violent contact, directly or indirectly, with the alleged victim pursuant to the terms of the attached Local Rule. The Sheriff shall be responsible for serving the Local Rule on the accused prior to release. The no contact order shall look similar to the following and may be modified as the statutory provisions are changed.